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**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

In re:

STEPHEN J. CONTE, JR.,

Debtor.

Chapter 11

Case No. 18-29278 (JKS)

**DECLARATION OF RYAN T. JARECK, ESQ. REGARDING THE SOLICITATION OF
VOTES AND TABULATION OF BALLOTS CAST ON THE PLAN OF
REORGANIZATION OF THE CHAPTER 11 TRUSTEE OF THE BANKRUPTCY
ESTATE OF STEPHEN J. CONTE, JR. PURSUANT TO CHAPTER 11 OF THE
BANKRUPTCY CODE**

I, RYAN T. JARECK, ESQ., being of full age, hereby declare pursuant to 28 U.S.C. § 1746, under penalty of perjury as follows:

1. I am a shareholder with the law firm of Cole Schotz P.C. (“**Cole Schotz**”) with an office located at Court Plaza North, 25 Main Street, Hackensack, New Jersey 07601. Cole Schotz represents Jeffrey T. Testa (the “**Chapter 11 Trustee**”), in his capacity as Chapter 11 trustee of the bankruptcy estate of Stephen J. Conte, Jr. (the “**Debtor**”) in this Chapter 11 case (the “**Chapter 11 Case**”).

2. I submit this Declaration with respect to the solicitation of votes and the tabulation of ballots cast on the *Plan of Reorganization of the Chapter 11 Trustee of the*

Bankruptcy Estate of Stephen J. Conte, Jr. Pursuant to Chapter 11 of the Bankruptcy Code, dated August 3, 2021 [Docket No. 330] (as may be amended, supplemented, or modified from time to time, the “**Plan**”). Except as otherwise noted, all facts set forth herein are based on my personal knowledge, knowledge that I acquired from individuals under my supervision, and my review of relevant documents. I am authorized to submit this Declaration on behalf of the Chapter 11 Trustee. If called to testify, I could and would testify competently as to the facts set forth herein.

3. Pursuant to the *Order (I) Approving the Disclosure Statement on an Interim Basis; (II) Scheduling a Combined Hearing on Final Approval of the Disclosure Statement and Plan Confirmation and Deadlines Related Thereto; (III) Approving the Confirmation Hearing Notice; and (IV) Granting Related Relief* entered by this Court on August 10, 2021 [Docket No. 340] (the “**Interim Approval and Scheduling Order**”), the Court established procedures to solicit votes from, and tabulate ballots submitted by, holders of Claims entitled to vote on the Plan (the “**Solicitation Procedures**”). Cole Schotz adhered to the Solicitation Procedures outlined in the Interim Approval and Scheduling Order and the ballots, which were distributed to parties entitled to vote on the Plan. I supervised the solicitation and tabulation performed by Cole Schotz’s employees.

4. The Solicitation Procedures established August 1, 2021 as the record date (the “**Voting Record Date**”) for determining which creditors were entitled to vote on the Plan. Pursuant to the Plan and the Solicitation Procedures, only holders as of the Voting Record Date in the following classes were entitled to vote to accept or reject the Plan (the “**Voting Classes**”):

<u>Plan Class</u>	<u>Class Description</u>
3	General Unsecured Claim of Allstate Insurance Company
4	General Unsecured Claims Other Than Allstate Insurance Company

5. No other classes were entitled to vote on the Plan.

6. In accordance with the Solicitation Procedures, Cole Schotz worked closely with the Chapter 11 Trustee and his professionals to identify the holders entitled to vote in the Voting Classes as of the Voting Record Date, and to coordinate the distribution of solicitation materials to these holders. A detailed description of Cole Schotz's distribution of solicitation materials is set forth in Cole Schotz's Affidavit of Service of Solicitation Materials, which was filed with this Court on August 13, 2021 [Docket No. 343].

7. In accordance with the Solicitation Procedures, Cole Schotz received, reviewed, determined the validity of, and tabulated the ballots submitted to vote on the Plan on or before September 10, 2021 (the "**Voting Deadline**"). All valid ballots cast by holders entitled to vote in the Voting Classes and received by Cole Schotz on or before the Voting Deadline were tabulated pursuant to the Solicitation Procedures.

8. The final tabulation of votes cast by timely and properly completed ballots received by Cole Schotz is attached hereto as **Exhibit A**.

I declare that the foregoing statements made by me are true and I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: September 13, 2021

/s/ Ryan T. Jareck

Ryan T. Jareck, Esq.
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Exhibit A

(Tabulation Summary)

<u>Class</u>	<u>Class Description</u>	<u>Number Accepting</u>	<u>Number Rejecting</u>	<u>Amount Accepting</u>	<u>Amount Rejecting</u>	<u>Class Voting Result</u>
3	General Unsecured Claim of Allstate Insurance Company	1 (100%)	0 (0%)	\$1,514,239.14 (100%)	\$0 (0%)	Accepts
4	General Unsecured Claim Other Than Allstate Insurance Company	0 (0%)	0 (0%)	\$0 (0%)	\$0 (0%)	Empty